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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,337	01/26/2001	Chad Magendanz	44431/233649	6309

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MICROSOFT CORPORATION
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BELLEVUE, WA 98004

EXAMINER

ARSHAD, UMAR

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 11/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

8

Office Action Summary

Application No.

09/770,337

Applicant(s)

MAGENDANZ ET AL. 

Examiner

Umar Arshad

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 - 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Buxton et al., U.S. Patent No. 6,469,714.

As per claim 1, Buxton et al. (hereinafter referred to as "Buxton") teach a method for providing a selection of properties for an electronic document associated with an application program comprising the steps:

determining a context for the electronic document (see Buxton, column 2, lines 61 – 67)

determining a status of a property for the electronic document (see Buxton, column 7, lines 59 - 64)

based upon the context of the electronic document and the status of the property,

creating a palette for the user interface so that the palette comprises a control for an available property (see Buxton column 2, lines 61 – 67 and column 8, lines 30 - 36); and

displaying the palette in conjunction with the electronic document on the user interface (see Buxton, figures 3A – D and column 6, lines 59 – 67).

As per claim 14, it is of similar scope to claim 1 and is rejected under the same rationale as claim 1 (see rejection above).

As per claim 2, which is dependent on claim 1, Buxton teaches the method of claim 1 (see rejection above). Buxton further teaches determining a change in the status of the property or the context of the electronic document (see Buxton, column 8, lines 20 – 25);

based upon the change of the property or the change in the property or the change in the context of the electronic document,

modifying the palette to reflect the change in the property or the change in the context of the electronic document (see Buxton, column 8, lines 20 – 25); and

replacing the palette with the modified palette so that the modified palette is displayed in conjunction with the electronic document on the user interface (see Buxton, figure 3A, items 300 and 320 and column 8, lines 20 – 25).

As per claim 15, it is of similar scope to claim 2 and is rejected under the same rationale as claim 2 (see rejection above).

As per claim 3, which is dependent on claim 1, Buxton teaches the method of claim 1 (see rejection above). Buxton further teaches sizing the palette so that the palette and the electronic document can be simultaneously viewed (see Buxton, figure 3A, items 300 and 320 and column 9, lines 55 – 67).

As per claim 16, it is of similar scope to claim 3 and is rejected under the same rationale as claim 3 (see rejection above).

As per claim 4, which is dependent on claim 2, Buxton teaches the method of claim 1 (see rejection above). Buxton further teaches sizing the modified palette so that the palette and the electronic document can be simultaneously viewed (see Buxton, figure 3A, items 300 and 320 and column 9, lines 55 – 67).

As per claim 17, it is of similar scope to claim 4 and is rejected under the same rationale as claim 4 (see rejection above).

As per claim 5, which is dependent on claim 1, Buxton teaches the method of claim 1 (see rejection above). Buxton further teaches coordinating the palette with a predefined interface so that the palette and the predefined interface provide consistent control features (see Buxton figure 2, figure 3A, items 300 and 320 and column 6, lines 43 - 58); and

displaying the predefined interface in conjunction with the palette and the electronic document (see Buxton figure 3A, items 300 and 320).

As per claim 18, it is of similar scope to claim 5 and is rejected under the same rationale as claim 5 (see rejection above).

As per claim 6, which is dependent on claim 2, Buxton teaches the method of claim 2 (see rejection above). Buxton further teaches coordinating the modified palette with a predefined interface so that the palette and the predefined interface provide consistent control features (see Buxton figure 2, figure 3A, items 300 and 320 and column 6, lines 43 - 58); and

displaying the predefined interface in conjunction with the modified palette and the electronic document (see Buxton figure 2, figure 3A, items 300 and 320 and column 6, lines 43 - 58).

As per claim 19, it is of similar scope to claim 6 and is rejected under the same rationale as claim 6 (see rejection above).

As per claim 7, which is dependent on claim 1, Buxton teaches the method of claim 1 (see rejection above). Buxton further teaches that the context of the electronic document consists of at least one of the following: textual content, formatting content, or graphical content (see Buxton, column 8, lines 30 – 36).

As per claim 20, it is of similar scope to claim 7 and is rejected under the same rationale as claim 7 (see rejection above).

As per claim 8, which is dependent on claim 1, Buxton teaches the method of claim 1 (see rejection above). Buxton further teaches that the property consists of one of the following: a formatting command, an application program command, or an electronic document characteristic (see Buxton, column 7, lines 29 - 44).

As per claim 21, it is of similar scope to claim 8 and is rejected under the same rationale as claim 8 (see rejection above).

As per claim 9, which is dependent on claim 1, Buxton teaches the method of claim 1 (see rejection above). Buxton further teaches that the user interface comprises a graphical user interface for an application program (see Buxton, column 7, lines 1 - 7).

As per claim 22, it is of similar scope to claim 9 and is rejected under the same rationale as claim 9 (see rejection above).

As per claim 10, which is dependent on claim 1, Buxton teaches the method of claim 1 (see rejection above). Buxton further teaches wherein the user interface comprises a floating palette (see Buxton, column 7, lines 17 - 20).

As per claim 23, it is of similar scope to claim 10 and is rejected under the same rationale as claim 10 (see rejection above).

As per claim 11, which is dependent on claim 1, Buxton teaches the method of claim 1 (see rejection above). Buxton further teaches wherein the user interface comprises a property browser palette window (see Buxton, column 2, lines 47 - 53).

As per claim 24, it is of similar scope to claim 11 and is rejected under the same rationale as claim 11 (see rejection above).

As per claim 12, which is dependent on claim 5, Buxton teaches the method of claim 5 (see rejection above). Buxton further teaches wherein the predefined interface comprises a toolbar (see Buxton, column 7, lines 1 - 7).

As per claim 25, it is of similar scope to claim 12 and is rejected under the same rationale as claim 12 (see rejection above).

As per claim 13, which is dependent on claim 6, Buxton teaches the method of claim 6 (see rejection above). Buxton further teaches wherein the predefined interface comprises a toolbar (see Buxton, column 7, lines 1 - 7).

As per claim 26, it is of similar scope to claim 13 and is rejected under the same rationale as claim 13 (see rejection above).

As per claim 27, it is of similar scope to the combination of claims 1, 2, 3, 4 and 9 and is rejected under the same rationale as claims 1, 2, 3, 4, and 9 (see rejections above).

Response to Arguments

Applicant's arguments with respect to Amendment A have been considered but are moot in view of the new ground(s) of rejection.

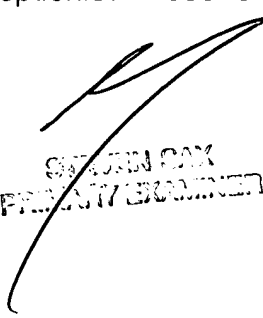
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Umar Arshad whose telephone number is (703) 305-0329. The examiner can normally be reached on Monday - Friday, 9am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

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